

Merchantville, NJ

August 13, 2007

A regular meeting of Borough Council was held at 7:30 PM, Monday, August 13, 2007. Mayor Frank M. North presided. The Pledge of Allegiance and Silent Prayer were observed. An announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL:

Council Present: Alloway, Fields, Finnegan, Waldron and Zeiders

Borough Clerk Thomas and Solicitor Higgins were present.

PUBLIC HEARING:

BOND ORDINANCE – GUARANTEE PAYMENT OF M/P WC BONDS Mayor North opened the public hearing on the following ordinance:

ORDINANCE NO. 07-12

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE
GUARANTEEING PAYMENT OF CERTAIN BONDS TO BE ISSUED
BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION
IN CONNECTION WITH THE 2007 NEW JERSEY
ENVIRONMENTAL INFRASTRUCTURE TRUST PROGRAM**

There being no public comment the hearing was closed.

ORDINANCE - IMPLEMENT REDEVELOPMENT PLAN: B 26, L 1 & 1.08: Mayor North opened the public hearing on the following ordinance:

07-13

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF
CAMDEN, STATE OF NEW JERSEY IMPLEMENTING THE
REDEVELOPMENT PLAN FOR AREAS LOCATED WITHIN THE
BOROUGH OF MERCHANTVILLE KNOWN AS THE "MAPLE AVENUE
REDEVELOPMENT PLAN"**

There being no public comment the hearing was closed.

ENGINEER'S REPORT:

Thomas Cundey, Remington & Vernick Engineer's, provided a written report and an update of Borough projects, including the CDBG Senior Center drainage, NJDOT Municipal Aid Program – 2007, CDBG and NPP Handicap ramps, and grant preparation for the NJDOT Municipal Aid Program -2008.

PUBLIC:

Gary Meyer, 804 Browning Road, presented a written report to Council and discussed his concern about "a criminal element" in the West End of town.

Mark Brunton, 28 South Cove Road, asked questions and was provided answers about the nature of the JIF, the items that were approved for auction, and the trash collection of old tires.

Deborah Binder, 57 Chapel Avenue, asked about the letter she had received asking her to agree to vacate her right of way in exchange for land adequate to park vehicles. Solicitor Higgins explained the request.

APPROVAL OF MINUTES: 7/23/07 REGULAR & PRIVATE:

On the motion of Mr. Zeiders and second of Mr. Finnegan, Council unanimously approved the 7/23/07 regular and private session minutes.

CORRESPONDENCE:

A memo from the Finance Officer, Mrs. Walker, on the rollover of bond anticipation notes was read.

COUNCIL REPORTS:

MR. ALLOWAY delivered the Police report, indicating 297 calls were completed and 206 tickets issued. He delivered the monthly court report.

MRs. FIELDS delivered the planning board report and provided an update on the status of 606 West Maple as a zoning issue. The Parks and Playgrounds program is completed. She also provided the monthly report on the Merchantville Emergency Management Squad, on the Neighborhood Preservation Program, and the Wednesdays in Wellwood program.

MR. WALDRON reported that the Shade Tree Commission is working on the tree and stump list and delivered the Historic Preservation Commission report.

MR. ZEIDERS discussed the exit conference report prepared by the Borough auditors, Bowman and Company, commenting on the need to establish an improved grant tracking system.

MR. FINNEGAN reported for the Public Works Department.

ADMINISTRATOR REPORT:

John Fry, Borough Administrator, provided Council with a written report and highlighted a few of the points, including the FEMA reimbursement process and the last day of Rick Thomas, Borough Clerk.

OLD BUSINESS:

BOND ORDINANCE ADOPTION – 2007 CAPITAL BUDGET: On the motion of Mr. Finnegan, second of Mr. Alloway and unanimous roll call vote, Council adopted the following ordinance:

ORDINANCE NO. 07-12

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE
GUARANTEEING PAYMENT OF CERTAIN BONDS TO BE ISSUED
BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION
IN CONNECTION WITH THE 2007 NEW JERSEY
ENVIRONMENTAL INFRASTRUCTURE TRUST PROGRAM**

ORDINANCE ADOPTION - IMPLEMENT REDEVELOPMENT PLAN: B 26, L 1 & 1.08: On the motion of Mrs. Fields, second of Mr. Waldron and unanimous roll call vote, Council adopted the following ordinance:

07-13

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF
CAMDEN, STATE OF NEW JERSEY IMPLEMENTING THE
REDEVELOPMENT PLAN FOR AREAS LOCATED WITHIN THE
BOROUGH OF MERCHANTVILLE KNOWN AS THE "MAPLE AVENUE
REDEVELOPMENT PLAN"**

RESOLUTION – AWARD CONTRACT FOR SENIOR CENTER DRAINAGE: On the motion of Mr. Zeiders and second of Mr. Alloway, Council unanimously approved the following resolution:

R07-89

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN
AND STATE OF NEW JERSEY AWARING CONTRACT FOR DRAINAGE
IMPROVEMENTS AT THE MERCHANTVILLE SENIOR CENTER**

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of contracting for Drainage Improvements at the Merchantville Community Center; and

WHEREAS, bids were received for this project; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds in the amount of \$44,700.00;

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted to award a contract to the lowest bidder, TSB Associates, Inc., Turnersville, NJ for the purpose of drainage improvements at the Merchantville Senior Center for the alternate bid #1 of \$44,700.00.

DISCUSSION – It was determined that access by volunteer groups to Borough Hall during non-business hours would be arranged through the council representative for the group.

NEW BUSINESS:

FINANCIAL REPORTS: On the motion of Mr. Zeiders, second of Mr. Finnegan and a unanimous roll call vote, Council approved the Chief Financial Officer's Report of Cash Receipts for July 2007 and the Abbreviated Budget Status through July 31, 2007.

RESOLUTION – APPROVE LIQUOR LICENSE RENEWAL: On the motion of Mr. Finnegan and second of Mr. Alloway, Council unanimously (Finnegan abstain) approved the following resolution:

R07-90

**RESOLUTION TO RENEW ABC PLENARY RETAIL
DISTRIBUTION LICENSE**

WHEREAS, Shivani Beverage Corporation 620-22 West Maple Avenue has applied for renewal of their Plenary Retail Distribution License for the year ending June 30, 2008 and applications have been filed with checks to the Borough of Merchantville in the amount of \$800.00 and checks to the State Division of Alcoholic Beverage Control in the amount of \$200.00; and

WHEREAS, Councilor Fields, Director of the Department of Records and Licenses, has reported that the licensed premises were inspected to ascertain that it complies with all pertinent health and safety laws and regulations, and that she recommends the granting of said license; and

WHEREAS, the Borough Clerk has reported that the legal preliminaries have been strictly complied with;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council be and is hereby authorized to issue a Plenary Retail Distribution License #0424-44-001-007 to Shivani Beverage Corporation.

RESOLUTION – RENEW CAMDEN COUNTY JIF MEMBERSHIP: On the motion of Mr. Alloway and second of Mrs. Fields, Council unanimously approved the following resolution:

R07-91

RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE CAMDEN COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Borough of Merchantville is a member of the Camden County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2010 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Borough of Merchantville agrees to renew its membership in the Camden County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and to deliver same to the Camden County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

RESOLUTION – ADOPT REDEVELOPMENT PLAN & DESIGNATE IN NEED OF REDEVELOPMENT

(B 26 L 1 & 1.08): On the motion of Mrs. Fields and second of Mr. Waldron, Council unanimously approved the following resolution:

RESOLUTION NO. 07-92

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR BLOCK 26, LOTS 1 AND 1.08, AND DESIGNATING BLOCK 26, LOTS 1 AND 1.08 AS AREAS IN NEED OF REDEVELOPMENT WITHIN THE BOROUGH OF MERCHANTVILLE PURSUANT TO N.J.S.A. 40A:12-6

WHEREAS, the Borough Council of the Borough of Merchantville, a municipal corporation in the County of Camden, State of New Jersey, finds that the public health, safety, morals and welfare of the community shall be promoted by the virtue of well planned redevelopment; and

WHEREAS, the Borough Council of the Borough of Merchantville has reviewed a document entitled "Preliminary Investigation & Redevelopment Plan for Block 26, Lots 1 and 1.08," dated May 29, 2007, prepared by Remington & Vernick Engineers, Inc. of Haddonfield, New Jersey (hereinafter referred

to as the "Report"), attached hereto and a part of this Resolution, and has referred same to the Planning Board of the Borough of Merchantville for a preliminary investigation to determine whether the proposed land is a redevelopment area; and

WHEREAS, the Planning Board of the Borough of Merchantville has conducted a public hearing on June 12, 2007, during which expert and factual testimony was taken and all persons who were or would be affected by the redevelopment area were afforded the opportunity to be heard; and

WHEREAS, the Planning Board has recommended to the Borough Council pursuant to the Resolution dated June 26, 2007, which is attached hereto and made a part hereof, that the Report be adopted with amendments as stated and the redevelopment area be so delineated as proposed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville that there is substantial evidence to support a finding that all of the properties listed in "Preliminary Investigation & Redevelopment Plan for Block 26, Lots 1 and 1.08" dated May 29, 2007, prepared by Remington & Vernick Engineers, Inc. of Haddonfield, New Jersey, attached hereto and a part of this Resolution, on the Tax Map located within the Borough of Merchantville, are areas in need of redevelopment and shall be designated as redevelopment areas pursuant to N.J.S.A. 40A:12A-6.

BE IT FURTHER RESOLVED that, pursuant to N.J.S.A. 40A:12A-6(b)5, a true and correct copy of this Resolution shall be transmitted by the Clerk of the Borough of Merchantville to the Commissioner of the New Jersey Department of Community Affairs for review.

RESOLUTION – ACCEPTING AUDIT FOR 2006: On the motion of Mr. Zeiders and second of Mr. Finnegan, Council unanimously approved the following resolution:

R07-093

RESOLUTION ACCEPTING THE ANNUAL AUDIT FOR 2006

WHEREAS, N.J.S. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year ending December 31, 2006 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Borough of Merchantville as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5 a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Recommendations" or "Findings and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Recommendations" or "Findings and Recommendations", as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined

no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Merchantville, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION – REFUND TAX OVERPAYMENTS: On the motion of Mr. Zeiders and second of Mr. Alloway, Council unanimously approved the following resolution:

R07-94

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING THE REFUND OF DUPLICATE OR OVERPAYMENT TAX PAYMENTS

BE IT RESOLVED by the Borough Council of the Borough of Merchantville that warrants be drawn to the parties listed below in the designated amount representing a duplicate or overpayments tax payment as follows:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
5/5.01	11 Clinton ave	\$557.88

All refunds to be made to the address below:

Wells Fargo Real Estate Tax
X2502-011
ONE HOME CAMPUS
DES MOINES IA Zip: 50328

BE IT FURTHER RESOLVED THAT, all parties have advised that they would like to have a refund rather than applying this payment to subsequent property taxes.

RESOLUTION – APPLY FOR MUNICIPAL ALLIANCE GRANT: On the motion of Mrs. Fields and second of Mr. Alloway, Council unanimously approved the following resolution:

R07-95

RESOLUTION AUTHORIZING THE APPLICATION FOR A MUNICIPAL ALLIANCE GRANT

WHEREAS, The Mayor and Borough Council of the Borough of Merchantville, County of Camden, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Borough of Merchantville further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough of Merchantville has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Camden;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey hereby recognizes the following:

1. Merchantville Mayor and Borough Council does hereby authorize submission of an application for the Merchantville Municipal Drug Alliance for the calendar year 2007 in the amount of \$7,713.00.

2. Merchantville Mayor and Borough Council also acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION - CANCEL SEWER CHARGES : On the motion of Mr. Zeiders and second of Mr. Finnegan, Council unanimously approved the following resolution:

R07-96

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING THE CANCELATION OF SEWER CHARGES DUE TO PROPERTY OWNED BY THE BOROUGH OF MERCHANTVILLE

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Merchantville that sewer charges be cancelled in the amounts shown below in the year and period of 2006, as well as first half 2007 due to borough owned property:

<u>BLOCK/LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
26/1.02	32 W Maple Ave	\$222.00

RESOLUTION – CAPITAL PURCHASE OF POLICE COMPUTERS: On the motion of Mr. Alloway and second of Mrs. Fields, Council unanimously approved the following resolution:

R07-97

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY AWARDDING A CONTRACT FOR THE CAPITAL PURCHASE OF POLICE COMPUTERS

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of purchasing computer equipment in accordance with Ordinance 05-07; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds;

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted for the purchase of two laptop computers for the Police Department from Dell Computer Corporation, Round Rock, Texas in the total amount not to exceed \$1,800.00.

RESOLUTION – CAPITAL PURCHASE OF POLICE MOBILE VISION EQUIPMENT: This resolution was tabled.

RESOLUTION – CAPITAL PURCHASE OF FIRE MOBILE RADIO : On the motion of Mr. Alloway and second of Mr. Finnegan, Council unanimously approved the following resolution:

R07-99

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY AWARDDING A CONTRACT FOR THE CAPITAL PURCHASE OF A FIRE DEPARTMENT MOBILE RADIO

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of purchasing a Fire Department mobile radio in accordance with Ordinance 41497; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds;

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted for the purchase of Motorola CDM1250 Mobile Radio for the Fire Department from Jan Communication, Pennsauken, NJ in the total amount of \$589.05.

RESOLUTION – CAPITAL PURCHASE OF FIRE PAGERS: On the motion of Mr. Alloway and second of Mrs. Fields, Council unanimously approved the following resolution:

R07-100

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN,
NEW JERSEY AWARDING A CONTRACT FOR THE CAPITAL PURCHASE OF FIRE
DEPARTMENT PAGERS**

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of purchasing a Fire Department pagers in accordance with Ordinance 07-09; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds;

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted for the purchase of five Motorola Minitor V Fire Pagers for the Fire Department from Jan Communications, Pennsauken, NJ in the total amount of \$2,585.00.

RESOLUTION - APPLY FOR RECYCLING TONNAGE GRANT: On the motion of Mr. Zeiders and second of Mr. Alloway, Council unanimously approved the following resolution:

R07-101

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY
OF CAMDEN, NEW JERSEY AUTHORIZING THE FILING FOR A
2006 RECYCLING TONNAGE GRANT**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102 has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for 2006 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council of the Borough of Merchantville to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Merchantville that the Borough of Merchantville hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Paul D. Finnegan, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

RESOLUTION – AMENDING P-CARD ADMINISTRATOR : On the motion of Mr. Alloway and second of Mrs. Fields, Council unanimously approved the following resolution:

R07-102

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN,
NEW JERSEY AMENDING RESOLUTION R06-103**

WHEREAS, the Borough Council of the Borough of Merchantville approved the use of Procurement Cards (herein "P-Cards") on December 11, 2006; and

WHEREAS, Borough Council desires to appoint John Fry, Borough Administrator, P-Card Administrator; and

WHEREAS, Borough Council desires to set specific spending limits for transaction, day and cycle periods; and

WHEREAS, a copy of this resolution shall be forwarded to the State of New Jersey upon adoption;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Merchantville as follows:

1. John Fry, Borough Administrator, be hereby appointed P-Card Administrator
2. The attached document (Attachment A) sets forth specific spending limits for transaction, day and cycle periods.

John Fry
Borough
Administrator

Transaction	Day	Cycle
State Quote Threshold	2 Times Quote Theshold	4 times Quote Threshold

RESOLUTION - PARTICIPATE IN CAMDEN COUNTY COOPERATIVE PURCHASING: On the motion of Mr. Alloway and second of Mr. Waldron, Council approved (Mr. Finnegan abstained) the following resolution:

R07-104

RESOLUTION AUTHORIZING AWARD CONTRACTS WITH OFFICE BASICS FOR PRICE ONLY CONTRACTS FOR BID A-20, COPY AND COMPUTER PAPER AND ENVELOPES UNDER THE CAMDEN COUNTY COOPERATIVE PRICING SYSTEM, SYSTEM IDENTIFIER #57-CCCPS

WHEREAS, the County of Camden, as the Lead Agency for the Camden County Cooperative Pricing System, System Identifier #57-CCCPS (Cooperative), received and opened bids at its Division of Purchasing on June 27, 2007 at 11:00 AM, Prevailing Time, for Bid A-20, Copy and Computer Paper and Envelopes for various Camden County Departments and municipalities under The Camden County Cooperative Pricing System, System Identifier #57-CCCPS, the receipt of which bids were duly advertised in accordance with law; and

WHEREAS, the only responsible bidder who complied with the bid specifications is Office Basics, Inc.; and

WHEREAS, it is the desire of the Board of Chosen Freeholders to award contracts to the lowest responsible bidders, for items listed herein for the needs of the County of Camden and other Cooperative Purchasing Members; and

WHEREAS, it is the desire of the Borough Council of the Borough of Merchantville to award contracts to the lowest responsible bidders, for the items listed herein for the needs of the Borough of Merchantville; and

WHEREAS, funding for this purpose for the Borough of Merchantville shall not exceed the maximum line items for office supplies in the Borough's 2007 permanent budget and shall be encumbered prior to incurring the obligation pursuant to NJAC 5:30-5.3(b)(2); and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Merchantville that, contingent upon funding as described herein, the aforementioned Bid A-20, be and is hereby awarded to Office Basics, Inc., 22 Creek Circle, Boothwyn, PA 19061 for Bid A-20, Copy and Computer Paper and Envelopes for term ; and

BE IT FURTHER RESOLVED THAT the proper Borough officials be and are hereby authorized to execute all documents necessary to effect this award.

RESOLUTION – NEW BUS STOP ON CHURCH: On the motion of Mr. Waldron and second of Mrs. Fields, Council unanimously approved the following resolution:

R07-107

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN,
NEW JERSEY TO ENFORCE TRAFFIC REGULATIONS AND ENSURE SAFETY
ASSOCIATED WITH A BUS STOP ON CHURCH ROAD**

WHEREAS, New Jersey Transit has requested to establish a bus stop on Church Road, eastbound at Plymouth place, near side,

WHEREAS, pursuant to N.J.S.A. 39:4-8(e), the following described location is designated as a bus stop:

Along Church Road (CR616), eastbound, on the southerly side thereof at:

Plymouth Place – (Near Side)

Beginning at the westerly curblin of Plymouth Place and extending 105 feet westerly therefrom.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Merchantville will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

BE IT FURTHER RESOLVED, that this resolution shall take effect upon approval of the Commissioner of Transportation as provided by law.

RESOLUTION – CAPITAL PURCHASE OF FIRE PORTABLE RADIOS: On the motion of Mr. Alloway and second of Mr. Finnegan, Council unanimously approved the following resolution:

R07-103

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN,
NEW JERSEY AWARDDING A CONTRACT FOR THE CAPITAL PURCHASE OF A
FIRE DEPARTMENT PORTABLE RADIOS**

WHEREAS, the Borough Council of the Borough of Merchantville is desirous of purchasing a Fire Department mobile radio in accordance with Ordinance 07-09; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds;

NOW, THEREFORE, BE IT RESOLVED, that approval has been granted for the purchase of three Motorola HT1250 Portable Radios for the Fire Department from Jan Communication, Pennsauken, NJ in the total amount of \$2,174.07.

RESOLUTION – CONDUCT AUCTION OF BOROUGH FIXED ASSETS: On the motion of Mr. Alloway and second of Mr. Zeiders, Council unanimously approved the following resolution:

RESOLUTION NO.07-105

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY
OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING SALE
OF SURPLUS EQUIPMENT**

WHEREAS, the Borough of Merchantville, County of Camden, State of New Jersey is the owner of the following surplus equipment, which is no longer needed for public use, the list of which is attached hereto as "Exhibit A;" and

WHEREAS, the Borough of Merchantville, County of Camden, State of New Jersey desires to authorize the sale of the above surplus equipment at public sale pursuant to N.J.S.A. 40A:11-36, to the highest bidder.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, State of New Jersey, as follows:

1. The Borough of Merchantville, County of Camden declares the above described surplus equipment is no longer needed for public use.

2. The Borough of Merchantville, County of Camden, its officers and attorney are hereby authorized and directed to take any and all steps necessary to proceed with a public sale of said surplus equipment.

3. The notice of the date, time and place of the public sale together with a description of surplus equipment and the conditions of sale, shall be published in The Retrospect, the official newspaper of the Borough of Merchantville, County of Camden, with the sale being held not less than seven (7) nor more than fourteen (14) days after publication of said notice. The surplus equipment will be sold on a cash basis to the highest bidder(s).

4. No limit shall be placed on the number of surplus equipment that can be purchased by one bidder.

5. This resolution shall take effect immediately.

RESOLUTION – GRANT APPLICATION FOR DOT BIKEWAY PROGRAM: On the motion of Mr. Alloway and second of Mrs. Fields, Council unanimously approved the following resolution:

R07-106

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN,
NEW JERSEY TO AUTHORIZE THE APPLICATION FOR A BIKE PATH PROGRAM
GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Borough of Merchantville desires to apply for and obtain a grant from the New Jersey Department of Transportation for approximately \$595,320 to carry out a project to extend the multi-purpose bike path within the Borough of Merchantville and implement traffic calming measures on or around Centre Street to make the multi-purpose path and Centre Street more conducive to use by pedestrians, bikers, and other non-motorized users.

NOW THEREFORE BE IT RESOLVED, by Borough Council of the Borough of Merchantville authorizes the Mayor and Clerk of the Borough of Merchantville to execute and attest to the Resolution, Application, and Agreement attached hereto.

APPROVAL OF NEW POLICE OFFICER: BRIAN CALLAWAY – On the motion of Mr. Alloway and second of Mr. Zeiders council unanimously approved the hire of Mr. Callaway.

APPROVAL OF JUNIOR FIREFIGHTER: JONATHAN ROGERS – On the motion of Mr. Alloway and second of Mr. Waldron council unanimously approved Mr. Rogers for membership.

APPROVAL OF NEW FIREFIGHTER: ANDREW DONAHUE - On the motion of Mr. Alloway and second of Mr. Zeiders council unanimously approved Mr. Donahue for membership.

APPROVAL OF NEW MEMS MEMBER: MICHAEL J. MULLIN - On the motion of Mrs. Fields and the second of Mr. Alloway council unanimously approved Mr. Mullin for membership.

COUNCIL RECOGNITION OF ASSEMBLYMAN CONNERS – D.E.P. SETTLEMENT EFFORTS: Mayor North expressed the gratitude of the Borough to Assemblyman Connors for his efforts on our behalf.

DISCUSSION – PAYMENT OF SCCI INVOICE FOR SEWER REPAIRS: Mayor North announced that as the result of analysis and negotiation the invoice for repairs on Victoria Avenue was reduced to an agreeable amount.

DISCUSSION – PROHIBIT DOGS IN PARKS: Mr. Alloway indicated he would discuss this further with Chief Bauer.

ANNOUNCEMENTS:

Mayor North announced that Tuesday August 14, 2007 would be the last day of employment of Oren R. "Rick" Thomas IV in the Borough and wished him well in his new pursuits.

PAYMENT OF BILLS:

On the motion of Mr. Zeiders, second of Mr. Alloway and a unanimous roll call vote, Council approved the following bills for payment:

CURRENT FUND: (PER 8/13/07 CHECK REGISTER)

CHECKS DELIVERED

CHECK #12773 - 12784	\$ 138,856.19
CHECK #12785 - 12856	\$ 1,740,046.56
	<u>\$ 1,878,902.75</u>

DOG ACCOUNT: (PER 8/13/07 CHECK REGISTER)

CHECK #761

\$ 214.20
<u>\$ 214.20</u>

GENERAL CAPITAL ACCOUNT: (PER 8/13/07 CHECK REGISTER)

CHECK # 1420 - 1421

\$ 11,560.57
<u>\$ 11,560.57</u>

MERCHANTVILLE SEWER UTILITY: (PER 8/13/07 CHECK REGISTER)

CHECKS DELIVERED

CHECK # 1618 - 1619	\$ 6,066.76
CHECK # 1620	\$ 20,000.00
	<u>\$ 26,066.76</u>

PUBLIC ASSISTANCE TRUST FUND: (PER 8/13/07 CHECK REGISTER)

CHECK

\$ -
<u>\$ -</u>

RECREATION COMMISSION: (PER 8/13/07 CHECK REGISTER)

CHECKS DELIVERED

CHECK # 2760 - 2762	\$ 6,093.16
CHECK # 2763 - 2772	\$ 5,226.57
	<u>\$ 11,319.73</u>

TRUST ACCOUNT - OTHER FUNDS: (PER 8/13/07 CHECK REGISTER)

CHECKS DELIVERED

CHECK # 1127 - 1128	\$ 496.84
CHECK # 1129 - 1131	\$ 966.52
	<u>\$ 1,463.36</u>

UNEMPLOYMENT COMPENSATION: (PER 8/13/07 CHECK REGISTER)

CHECK # 0338 - 0339

\$ 5,027.87
<u>\$ 5,027.87</u>

TOTAL: \$ 1,934,555.24

EXAMINED AND FOUND CORRECT: (SIGNED ROBERT H. ZEIDERS)
DIRECTOR, DEPARTMENT OF ACCOUNTS AND AUDITING

R07-108

RESOLUTION that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be and is hereby authorized to pay the bills therein.

PRIVATE SESSION:

On the motion of Mr. Alloway and second of Mrs. Fields, Council adjourned into a private session to discuss matters of personnel.

CONTINUATION OF NEW BUSINESS:

RESOLUTION – APPOINT MUNICIPAL CLERK: On the motion of Mr. Alloway and second of Mrs. Fields, Council unanimously approved the following resolution:

R07-109

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY
OF CAMDEN AND STATE OF NEW JERSEY APPOINTING JOHN C.
FRY AS THE MUNICIPAL CLERK OF THE BOROUGH OF
MERCHANTVILLE**

WHEREAS, the Mayor and Council of the Borough of Merchantville have accepted the resignation of Oren R. Thomas IV as the Municipal Clerk of the Borough of Merchantville; and

WHEREAS, N.J.S.A. 40A:9-133 requires the appointment of a Municipal Clerk when a vacancy occurs;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville that John C. Fry be and is hereby appointed to the position of Municipal Clerk for a term commencing August 15, 2007 and concluding on December 31, 2007.

ORDINANCE INTRODUCTION – SALARY AND WAGES : On the motion of Mr. Alloway and second of Mr. Zeiders, Council unanimously introduced the following ordinance:

07-15

**ORDINANCE OF THE BOROUGH OF MERCHANTVILLE AMENDING ORDINANCE
07-07 ESTABLISHING MAXIMUM SALARIES OF EMPLOYEES OF THE BOROUGH
OF MERCHANTVILLE**

The public hearing will be held on August 27.

ADJOURNMENT:

On the motion of Mr. Zeiders and second of Mr. Alloway, the meeting was adjourned at 10:25 PM.

JOHN C. FRY
BOROUGH CLERK